

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ARIEL ABITTAN,

Plaintiff,

v.

LILY CHAO (A/K/A TIFFANY CHEN, A/K/A
YUTING CHEN), DAMIEN DING (A/K/A
DAMIEN LEUNG, A/K/A TAO DING),
TEMUJIN LABS INC. (A DELAWARE
CORPORATION), AND TEMUJIN LABS INC.
(A CAYMAN CORPORATION),

Defendants,

and

EIAN LABS INC.,

Nominal Defendant.

Case No.: 5:20-cv-09340

**DECLARATION OF GUANGHUA
LIANG AND CONSENT OF EIAN
LABS INC. TO MAGISTRATE
JURISDICTION**

1 I, Guanghua Liang, declare as follows:

2 1. I have personal knowledge of the following.

3 2. Eian Labs Inc. ("Eian") was a Delaware Corporation established in July 2018.

4 3. Eian was subsequently dissolved in August 2019 pursuant to adoption of a plan of
5 liquidation and dissolution.

6 4. I was the sole director of Eian at the time of dissolution.

7 5. Notwithstanding the dissolution, under the Delaware General Corporation Laws, I
8 understand that Eian continues for a period of time for purposes of prosecuting and defending
9 suits by or against it and, in that respect, I retain my authority as Eian's sole director.

10 6. I also understand that Ariel Abittan is purporting to bring derivative claims on
11 behalf of Eian, and names Eian as a nominal defendant in this action, and that the Court has
12 requested that the parties seek Eian's consent to magistrate judge jurisdiction.


13 7. Mr. Abittan is not and has never been a shareholder of Eian Labs Inc., and in fact
14 cannot be a current shareholder of Eian Labs Inc., as all stock in Eian was cancelled in connection
15 with the dissolution in August 2019.

16 8. Mr. Abittan also did not make any litigation demand on Eian of which I am aware.

17 9. While I do not believe that Mr. Abittan may sue on Eian's behalf, to expedite
18 resolution of that issue, in accordance with the provisions of 28 U.S.C. § 636(c), Eian voluntarily
19 consents to have a United States magistrate judge conduct all further proceedings in this case,
20 including trial and entry of final judgment, and understands that appeal from the judgment shall be
21 taken directly to the United States Court of Appeals for the Ninth Circuit.

22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct.

24
25 Executed on June 16, 2021 in Shandong, China.

26
27 
28 _____
Guanghua Liang